

DONALD SPECTER – 083925  
CORENE KENDRICK – 226642  
RITA K. LOMIO – 254501  
MARGOT MENDELSON – 268583  
PRISON LAW OFFICE  
1917 Fifth Street  
Berkeley, California 94710-1916  
Telephone: (510) 280-2621  
Facsimile: (510) 280-2704

MICHAEL W. BIEN – 096891  
GAY C. GRUNFELD – 121944  
ERNEST GALVAN 196065  
PENNY GODBOLD – 226925  
MICHAEL FREEDMAN – 262850  
ROSEN BIEN  
GALVAN & GRUNFELD LLP  
50 Fremont Street, 19th Floor  
San Francisco, California 94105-2235  
Telephone: (415) 433-6830  
Facsimile: (415) 433-7104

LINDA D. KILB – 136101  
DISABILITY RIGHTS EDUCATION &  
DEFENSE FUND, INC.  
3075 Adeline Street, Suite 201  
Berkeley, California 94703  
Telephone: (510) 644-2555  
Facsimile: (510) 841-8645

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,  
Plaintiffs,  
v.  
EDMUND G. BROWN, JR., et al.,  
Defendants.

Case No. C94 2307 CW

~~PROPOSED~~ STIPULATED ORDER  
CONFIRMING UNDISPUTED  
ATTORNEYS' FEES AND COSTS  
FOR THE SECOND QUARTER OF  
2018

Judge: Hon. Claudia Wilken

1 On March 26, 1997, the District Court established procedures by which Plaintiffs  
 2 are to collect periodic attorneys' fees and costs in this case in connection with their work  
 3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on July 24, 2018, Plaintiffs served on Defendants  
 5 their Second Quarterly Statement for 2018 by overnight delivery. The parties completed  
 6 their meet-and-confer process on August 24, 2018 as to the fees and costs incurred on all  
 7 matters.

8 As a result of the August 24, 2018 agreement, the parties agree to the following:

9 The parties agree to the payment of \$1,427,447.74 to resolve all fees and costs  
 10 incurred during the Second Quarter of 2018, for monitoring and/or litigation activities in  
 11 the California Department of Corrections of Rehabilitation Division of Adult Operations  
 12 and Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are  
 13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by  
 14 the parties to settle these claims.

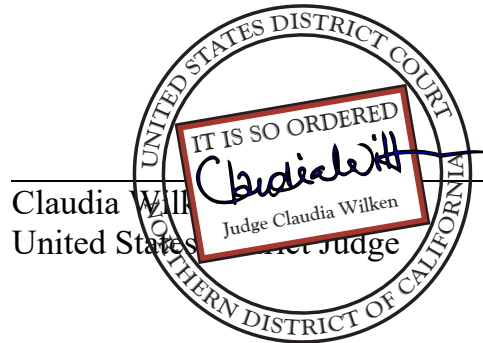
15 The parties agree to the payment of \$58,816.06 to resolve all fees and costs incurred  
 16 during the Second Quarter of 2018, for monitoring and/or litigation activities in the Board  
 17 of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts  
 18 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the  
 19 parties to settle these claims.

20 The parties agree to the payment of \$190,152.71 to resolve all fees and costs  
 21 incurred during the Second Quarter of 2018, for monitoring and/or litigation activities in  
 22 the Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as  
 23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts  
 24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$15,639.04 to resolve all fees and costs incurred  
 26 during the Second Quarter of 2018, for fees work. Attached hereto as **Exhibit D** are charts  
 27 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the  
 28 parties to settle these claims.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and  
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees  
3 and costs will run from August 23, 2018, accruing at the rate provided by 28 U.S.C.  
4 § 1961.

5  
6 DATED: September 12, 2018



7  
8  
9 APPROVED AS TO FORM:

10  
11 DATED: September 10, 2018

/s/Sharon Garske

Sharon Garske  
Deputy Attorney General  
Attorney for Defendants

12  
13  
14 DATED: September 10, 2018

/s/Gay Crosthwait Grunfeld

Gay Crosthwait Grunfeld  
Rosen Bien Galvan & Grunfeld LLP  
Attorney for Plaintiffs

# **EXHIBIT A**

**Armstrong v. Brown**  
**Second Quarterly Statement of 2018**  
**April 1, 2018 through June 30, 2018**

**CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
CDCR/AOAP MONITORING	\$1,392,705.85	\$34,741.89
	<b>TOTAL UNDISPUTED:</b>	<b>\$1,427,447.74</b>

**Armstrong v. Brown**  
 Second Quarterly Statement of 2018  
 April 1, 2018 through June 30, 2018  
**Matter: CDCR/AOAP Monitoring/Merits**

<b><u>Monitoring (581-3)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2018</b>		<b>Fees Now Owing</b>
	<b><u>Hours</u></b>	<b><u>Hours</u></b>	<b><u>Rates</u></b>	<b><u>Total</u></b>	<b><u>Per Negotiated</u></b>
					<b><u>Compromise</u></b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	2.30	2.30	\$965	\$2,219.50	\$2,141.82
Gay C. Grunfeld (GCG)	26.40	26.40	\$835	\$22,044.00	\$21,272.46
Ernest Galvan (EG)	1.5	1.5	\$780	\$1,170.00	\$1,129.05
Penny Godbold (PG)	253.20	249.60	\$675	\$168,480.00	\$162,583.20
Thomas Nolan (TN)	186.80	183.40	\$700	\$128,380.00	\$123,886.70
Michael L. Freedman (MLF)	30.30	27.90	\$585	\$16,321.50	\$15,750.25
Ben Bien-Kahn (BBK)	69.90	68.10	\$535	\$36,433.50	\$35,158.33
Krista Stone-Manista (KSM)	114.70	110.40	\$535	\$59,064.00	\$56,996.76
Jenny Yelin (JY)	11.40	10.10	\$525	\$5,302.50	\$5,116.91
Kara J. Janssen (KJJ)	0.10	0.00	\$525	\$0.00	\$0.00
Michael S. Nunez (MSN)	0.20	0.00	\$500	\$0.00	\$0.00
Mark Shinn-Krantz (MSK)	4.90	0.00	\$375	\$0.00	\$0.00
Karen Stilber (KES)	121.50	112.80	\$340	\$38,352.00	\$37,009.68
Linda Woo (LHW)	2.30	0.00	\$340	\$0.00	\$0.00
F. Gail LaPurja (FGL)	1.30	0.00	\$275	\$0.00	\$0.00
Greg Gonzalez (GZG)	0.40	0.00	\$275	\$0.00	\$0.00
Katherine Hamilton (KCH)	130.10	96.80	\$240	\$23,232.00	\$22,418.88
Dylan Verner-Crist (DVC)	9.20	9.20	\$240	\$2,208.00	\$2,130.72
Marcus V. Levy (MVL)	0.50	0.00	\$275	\$0.00	\$0.00
Maisy H. Sylvan (MHS)	205.20	194.00	\$225	\$43,650.00	\$42,122.25
Nathalie Welch (NW)	15.70	10.20	\$240	\$2,448.00	\$2,362.32
Hanna Wallace (HW)	317.50	301.90	\$225	\$67,927.50	\$65,550.04
<b>Total Hours:</b>	<b>1,505.40</b>	<b>1,404.60</b>		<b>\$617,232.50</b>	<b>\$595,629.36</b>
<b>RBGG FEES:</b>					
<b><u>PRISON LAW OFFICE</u></b>					
Donald Specter (DS)	29.40	29.40	\$965	\$28,371.00	\$27,378.02
Sara Norman (SN)	35.50	35.50	\$790	\$28,045.00	\$27,063.43
Corene Kendrick (CK)	24.30	24.30	\$675	\$16,402.50	\$15,828.41
Rita Lomio (RL)	257.90	257.90	\$615	\$158,608.50	\$153,057.20
Thomas Nosewicz	157.80	157.80	\$585	\$92,313.00	\$89,082.05
Margot Mendelson (MM)	113.10	113.10	\$535	\$60,508.50	\$58,390.70
Sia N. Henry (SNH)	23.50	23.50	\$425	\$9,987.50	\$9,637.94
Camille Woods (CW)	101.30	101.30	\$350	\$35,455.00	\$34,214.08
Amber Norris (AN)	181.80	181.80	\$335	\$60,903.00	\$58,771.40
Megan Lynch (ML)	273.80	273.80	\$335	\$91,723.00	\$88,512.70
Sarah Hopkins (SH)	254.60	254.60	\$300	\$76,380.00	\$73,706.70
Annalise Finney (AF)	138.30	138.30	\$300	\$41,490.00	\$40,037.85
Molly Petchenik (MP)	154.50	154.50	\$275	\$42,487.50	\$41,000.44
Tania Amarillas (TA)	11.20	11.20	\$275	\$3,080.00	\$2,972.20
Stacy Amador (SA)	52.80	52.80	\$275	\$14,520.00	\$14,011.80
Alexis Hoffman (AH)	88.90	88.90	\$275	\$24,447.50	\$23,591.84
Patrick Booth (PB)	67.80	67.80	\$275	\$18,645.00	\$17,992.43
Samuel Kennedy (SK)	9.80	9.80	\$275	\$2,695.00	\$2,600.68
Gabriela Pelsinger (GP)	45.80	45.80	\$275	\$12,595.00	\$12,154.18
Katie Tertocha (KT)	24.80	24.80	\$275	\$6,820.00	\$6,581.30
<b>Total Hours:</b>	<b>2,046.90</b>	<b>2,046.90</b>		<b>\$825,477.00</b>	<b>\$796,585.31</b>
<b>PLO FEES:</b>					
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Linda Kilb (LK)	0.2	0.2	\$845	\$169.00	\$163.09
Case Clerk	2.00	2.00	\$170	\$340.00	\$328.10
<b>Total Hours:</b>	<b>2.00</b>	<b>2.00</b>		<b>\$509.00</b>	<b>\$491.19</b>
<b>DREDF FEES:</b>					
<b>TOTAL CDCR/AOAP MONITORING FEES:</b>				<b>\$1,443,218.50</b>	<b>\$1,392,705.85</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2018

April 1, 2018 through June 30, 2018

**Costs*****Matter: CDCR/AOAP Merits/Monitoring***

<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-3)</u></b>	<b>Claimed Costs</b>	<b>Costs Now Owing Per Negotiated Compromise</b>
Photocopying (In house)	\$2,232.00	\$2,153.88
Photocopying/printing (Outside)	\$1,342.07	\$1,295.10
Translation/Interpreter Services	\$75.05	\$72.42
Postage & Delivery	\$344.05	\$332.01
Telephone	\$24.85	\$23.98
Travel - Mileage, Tolls, Food	\$8,834.48	\$8,525.27
<b>Total RBGG Costs:</b>	<b>\$12,852.50</b>	<b>\$12,402.66</b>
 <b><u>Prison Law Office</u></b>		
Photocopying (In house)	\$980.40	\$946.09
Interpreting/Translation services	\$3,578.00	\$3,452.77
Travel - Mileage, Tolls, Food	\$16,622.09	\$16,040.32
Postage & Delivery	\$1,833.81	\$1,769.63
<b>Total PLO Costs:</b>	<b>\$23,014.30</b>	<b>\$22,208.80</b>
 <b><u>Disability Rights Education &amp; Defense Fund, Inc.</u></b>		
Photocopying (in-house)	\$85.20	\$82.22
Inmate Collect Telephone Calls	\$25.00	\$24.13
Postage & Delivery	\$24.96	\$24.09
<b>Total DREDF Costs:</b>	<b>\$135.16</b>	<b>\$130.43</b>
 <b>TOTAL CDCR/AOAP MERITS/MONITORING COSTS:</b>	<b>\$36,001.96</b>	<b>\$34,741.89</b>

# **EXHIBIT B**

**Armstrong v. Brown**  
Second Quarterly Statement of 2018  
April 1, 2018 through June 30, 2018

**BPH SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
BPH	\$57,358.15	\$1,457.90
	<b>TOTAL UNDISPUTED:</b>	<b>\$58,816.06</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2018

April 1, 2018 through June 30, 2018

**Matter: BPH****BPH (581-4)**

Actual	Claimed	2018
<u>Hours</u>	<u>Hours</u>	<u>Rates</u>

Fees Now Owing
<u>Per Negotiated</u>
<u>Compromise</u>

**Total****BPH MONITORING (581-4)****ROSEN, BIEN, GALVAN & GRUNFELD**

Gay C. Grunfeld (GCG)	7.70	7.70	\$835	\$6,429.50	\$6,204.47
Thomas Nolan (TN)	48.00	48.00	\$700	\$33,600.00	\$32,424.00
Krista Stone-Manista (KSM)	0.30	0.00	\$535	\$0.00	\$0.00
Karen Stilber (KES)	0.70	0.00	\$340	\$0.00	\$0.00
F. Gail LaPurja (FGL)	0.20	0.00	\$275	\$0.00	\$0.00
Fely F. Villadelgado (FFV)	0.10	0.00	\$275	\$0.00	\$0.00
Maisy H. Sylvan (MHS)	1.10	0.00	\$225	\$0.00	\$0.00
Katherine Hamilton (KCH)	12.50	7.90	\$240	\$1,896.00	\$1,829.64
<b>Total Hours:</b>	<b>70.60</b>	<b>63.60</b>			

**RBGG FEES:****\$41,925.50****\$40,458.11****PRISON LAW OFFICE**

Sara Norman (SN)	5.80	5.80	\$790	\$4,582.00	\$4,421.63
Rita Lomio (RL)	0.60	0.60	\$615	\$369.00	\$356.09
Rana Anabtawi (RA)	3.70	3.70	\$535	\$1,979.50	\$1,910.22
Mae Ackerman-Brimberg (MAB)	24.90	24.90	\$425	\$10,582.50	\$10,212.11
<b>Total Hours:</b>	<b>35.00</b>	<b>35.00</b>			

**PLO FEES:****\$17,513.00****\$16,900.05****TOTAL FEES FOR  
BPH WORK:****\$59,438.50****\$57,358.15**

**Armstrong v. Brown**

Second Quarterly Statement of 2018

April 1, 2018 through June 30, 2018

**Costs*****Matter: BPH***

	<b>Costs Now Owing</b>	
	<b>Costs</b>	<b><u>Per Negotiated Compromise</u></b>
<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-4)</u></b>		
Photocopying (In house)	\$94.20	\$90.90
Westlaw research	\$1.25	\$1.21
Interpreter/SLI	\$491.28	\$474.09
Telephone	\$0.55	\$0.53
Travel - Mileage, Tolls, Food	\$486.42	\$469.40
<b>Total RBGG Costs:</b>	<b>\$1,073.70</b>	<b>\$1,036.12</b>
 <b><u>Prison Law Office</u></b>		
Travel - Mileage, Tolls, Food	\$437.08	<u>\$421.78</u>
<b>Total PLO Costs:</b>	<b>\$437.08</b>	<b>\$421.78</b>
 <b>TOTAL BPH COSTS:</b>	<b>\$1,510.78</b>	<b>\$1,457.90</b>

# **EXHIBIT C**

**Armstrong v. Brown**  
**Second Quarterly Statement of 2018**  
**April 1, 2018 through June 30, 2018**

**DAPO SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COST</u></b>
DAPO MONITORING	\$185,688.20	\$4,464.51
	<b>TOTAL UNDISPUTED:</b>	<b>\$190,152.71</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2018

April 1, 2018 through June 30, 2018

**Matter: DAPO Monitoring**

<b><u>DAPO Monitoring (581-9)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2018</b>		<b>Fees Now Owing</b>
	<b>Hours</b>	<b>Hours</b>	<b>Rates</b>	<b>Total</b>	<b><u>Per Negotiated</u></b> <b><u>Compromise</u></b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	0.70	0.70	\$965	\$675.50	\$651.86
Gay C. Grunfeld (GCG)	15.80	15.70	\$835	\$13,109.50	\$12,650.67
Penny Godbold (PG)	27.00	26.00	\$675	\$17,550.00	\$16,935.75
Thomas Nolan (TN)	40.10	40.10	\$700	\$28,070.00	\$27,087.55
Michael L. Freedman (MLF)	4.20	0.00	\$585	\$0.00	\$0.00
Benjamin Bien-Kahn (BBK)	100.90	97.60	\$535	\$52,216.00	\$50,388.44
Krista Stone-Manista (KSM)	20.50	20.40	\$535	\$10,914.00	\$10,532.01
Jenny S. Yelin (JSY)	40.80	39.50	\$525	\$20,737.50	\$20,011.69
Karen Stilber (KES)	17.90	17.90	\$340	\$6,086.00	\$5,872.99
F. Gail LaPurja (FGL)	12.40	11.90	\$275	\$3,272.50	\$3,157.96
Marcus V. Levy (MVL)	0.10	0.00	\$275	\$0.00	\$0.00
Katherine Hamilton (KCH)	8.00	5.70	\$240	\$1,368.00	\$1,320.12
Nathalie Welch (NCW)	221.70	160.10	\$240	\$38,424.00	\$37,079.16
Hanna Wallace (HW)	0.80	0.00	\$225	\$0.00	\$0.00
<b>Total Hours:</b>	<b>510.90</b>	<b>435.60</b>			
<b>RBGG FEES:</b>				<b>\$192,423.00</b>	<b>\$185,688.20</b>
<b>TOTAL FEES FOR DAPO MONITORING WORK:</b>				<b>\$192,423.00</b>	<b>\$185,688.20</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2018

April 1, 2018 through June 30, 2018

**Costs*****Matter: DAPO Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-9)****Costs Now Owing****Per Negotiated****Compromise****Costs**

Photocopying (in-house)	\$1,192.40	\$1,150.67
Photocopying (outside)	\$101.66	\$98.10
Westlaw	\$7.05	\$6.80
Inhouse Postage	\$285.77	\$275.77
Long distance telephone charges	\$0.35	\$0.34
Travel - Mileage, Tolls, Food	\$3,039.21	\$2,932.84
<b>Total RBGG Costs:</b>	<b>\$4,626.44</b>	<b>\$4,464.51</b>
<b>TOTAL DAPO MONITORING COSTS:</b>	<b>\$4,626.44</b>	<b>\$4,464.51</b>

# **EXHIBIT D**

**Armstrong v. Brown**  
**Second Quarterly Statement of 2018**  
**April 1, 2018 through June 30, 2018**

**SUMMARY OF UNDISPUTED FEES WORK AND COSTS**

	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
FEES WORK (ALL MATTERS)	\$15,463.64	\$175.40
<b>TOTAL UNDISPUTED:</b>		<b>\$15,639.04</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2018

April 1, 2018 through June 30, 2018

***Matter: All Matters Fees Work***

<b><u>Fees (581-2)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2018</b>		<b>Fees Now Owing</b>
	<b><u>Hours</u></b>	<b><u>Hours</u></b>	<b><u>Rates</u></b>	<b><u>Total</u></b>	<b><u>Per Negotiated Compromise</u></b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Gay C. Grunfeld (GCG)	10.20	10.00	\$835	\$8,350.00	\$8,057.75
Karen E. Stilber (KES)	14.20	12.80	\$340	\$4,352.00	\$4,199.68
<b>Total Hours:</b>	<b>24.40</b>	<b>22.80</b>			
<b>RBGG FEES:</b>				<b>\$12,702.00</b>	<b>\$12,257.43</b>
<b><u>PRISON LAW OFFICE</u></b>					
Rita Lomio	1.00	1.00	\$615	\$615.00	\$593.48
Margot Mendelson (MKM)	1.60	1.60	\$535	\$856.00	\$826.04
Ashley Kirby (AK)	6.00	6.00	\$210	\$1,260.00	\$1,215.90
<b>Total Hours:</b>	<b>8.60</b>	<b>8.60</b>			
<b>PLO FEES:</b>				<b>\$2,731.00</b>	<b>\$2,635.42</b>
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Linda Kilb (LDK)	0.70	0.70	\$845	\$591.50	\$570.80
<b>Total Hours:</b>	<b>0.70</b>	<b>0.70</b>			
<b>DREDF FEES:</b>				<b>\$591.50</b>	<b>\$570.80</b>
<b>TOTAL FEES FOR ARMSTRONG FEES WORK:</b>				<b>\$16,024.50</b>	<b>\$15,463.64</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2018

April 1, 2018 through June 30, 2018

**Costs*****Matter: Fees Work in All Matters*****Costs Now Owing****Rosen, Bien, Galvan & Grunfeld (581-2)****Costs****Per Negotiated  
Compromise**

Photocopying and Printing (in-house)

\$127.40

\$122.94

Long distance telephone

\$0.90

\$0.87

Postage &amp; Delivery

\$46.86

\$45.22

**Total RBGG Costs:****\$175.16****\$169.03****Disability Rights Education & Defense Fund, Inc.**

Photocopying (in-house)

\$6.60

\$6.37

**Total DREDF Costs:****\$6.60****\$6.37****TOTAL FEES WORK COSTS :****\$181.76****\$175.40**